IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
WRIT PETITION NO. 483 (MS) OF 2006

Shiv Singh, S/o late Jai Singh,
Smt. Parwati Khampa, W/o Sri Shiv Singh,
Both R/o Village & Post Vin, Tehsil & District Pithoragarh.
.....Petitioners.

Versus

1. State of Uttaranchal, through Collector Pithoragarh, District Pithoragarh, Uttaranchal.
2. Assistant Collector Pithoragarh, District-Pithoragarh.
3. Govind Kasniyal, S/o Sri Ganesh Dutt, R/o Village-Kasni (Vin) Post & Tehsil, Pithoragarh, District-Pithoragarh.

.....Respondents.

Mr. Kurban Ali, Advocate for the petitioners.
Learned Standing Counsel for the respondents no. 1 and 2.

Dated: 03.05.2006

Hon'ble Rajesh Tandon, J.

By the present writ petition, the petitioners have prayed for a writ of mandamus directing the respondents no. 1 and 2 not to interfere in the peaceful possession of the petitioner over property Khasra No. 1891, 1892 and 1893 situate in Village Vin Post Office Pithoragarh, District-Pithoragarh.

Briefly stated, the petitioners have submitted that they are holders of the Gift Deed dated 1979 and the respondents are interfering with their livelihood and the petitioner no. 1 moved an application on 2nd November, 2004 before the respondent no. 2 for restraining the illegal action of the respondent no.3.

Since the petitioner no. 1 has already moved an application, therefore, respondent no. 2 Assistant Collector, Pithoragarh, District-Pithoragarh is directed to look into the matter and the grievances of the petitioners may be looked into by the respondent no. 2 expeditiously within a period of three months from the date of presentation of the certified copy of the order.

Writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

03.05.2006
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